

**ORDINANCE
of the
City of Minneapolis**

By Hodges

Amending Title 21 of the Minneapolis Code of Ordinances by adding a new Chapter 588 relating to *Interim Ordinances*: providing for a moratorium on large scale development within neighborhood commercial nodes and along community corridors in the Linden Hills Neighborhood.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 588 to read as follows:

**CHAPTER 588. PROVIDING FOR A MORATORIUM ON LARGE-SCALE
DEVELOPMENT WITHIN NEIGHBORHOOD COMMERCIAL NODES AND
ALONG COMMUNITY CORRIDORS IN THE LINDEN HILLS NEIGHBORHOOD**

588.10. Authority. Pursuant to Minnesota Statutes Section 462.355, Subd. 4, the city is authorized to establish interim ordinances to regulate, restrict or prohibit any use or development in all or a part of the city while the city or its planning department is conducting studies, or has authorized a study to be conducted, or has scheduled a hearing to consider adoption or amendment of the comprehensive plan or official zoning controls. In furtherance of this statutory authority, the city has enacted Chapter 529 of the zoning code which governs the establishment of interim ordinances. The city declares that this interim ordinance is established pursuant to the aforementioned statute and city ordinance.

588.20. Findings and purpose. The city council is concerned that large-scale developments could negatively affect the established character within the Linden Hills neighborhood's commercial nodes, along its community corridors, and in close proximity to these land use features. The neighborhood and the city have begun the process of establishing a small area plan. The city finds that this interim ordinance should be adopted to protect this planning process and the health, safety and welfare of the citizens.

588.30. Zoning study. The planning division of the community planning and economic development department (CPED) is hereby directed to commence a study of the neighborhood commercial nodes and community corridors, which may also include adjacent areas, in the Linden Hills neighborhood and a propose a plan and potential amendments to the zoning code or other regulations that the planning division deems necessary and advisable.

588.40. Restrictions. For a period of one (1) year from the date of introduction of this ordinance on March 30, 2012, no zoning approval, building permits, construction permits, or administrative waivers for building construction with a floor area ratio (FAR) of more than one and seven-tenths (1.7) and/or building construction that exceeds the maximum height permitted as of right under the city's zoning ordinance, shall be allowed or granted by any city department on lots that have, at the time of adoption of this interim ordinance, frontage on the following streets:

Upton and Sheridan Avenue South between West 42nd Street and West 45th Street

West 43rd Street between Linden Hills Boulevard and Vincent Avenue South

West 44th Street between Upton Avenue South and France Avenue South
France Avenue South between Glendale Terrace and West 47th Street

Consistent with section 529.40, these restrictions shall apply only to the issuance of permits for development for which an application has not been filed prior to the effective date of the interim ordinance.

580.50. Hardship. In cases of hardship, any person having a legal or equitable interest in land and aggrieved by the requirements of this interim ordinance may apply to the City Council for a waiver of all or a portion of the applicable restrictions as provided in Chapter 529 of the zoning code. A waiver may be granted where the City Council finds substantial hardship caused by the restrictions and finds that the waiver will not unduly affect the integrity of the planning process or the purposes for which the interim ordinance is enacted.